IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 7403 of 2005

Between:

Peela Srinivasa Rao, s/o P.Mallikharjuna Rao,
r/o 203, B.Block, Fribzi Residency Engineers Colony, Yellareddyguda, Hyderabad-500 073.

..... PETITIONER

AND

The Station House Officer, Central Crime Station, Basheerbagh, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in interfering with the personal liberty of the petitioner by summoning the petitioner to their office at unearthly hours without registering any crime, as illegal, arbitrary, and violative of the fundamental rights of the petitioner especially the rights guaranteed under Article 19 and 21 of the Constitution of India and pass such other orders as this Hon'ble Court deems fit and proper under the circumstances of the case.

Counsel for the Petitioner: MR.VARDHINENI KRISHNAMOHAN

Counsel for the Respondent: GP FOR HOME

The Court made the following:

The Hon'ble Sri Justice D.S.R.Varma

W.P.No.7403 of 2005

ORAL ORDER:

Heard both sides.

It is the complaint of the petitioner that the respondent and his staff have been harassing the petitioner particularly during night time.

It is not known under what circumstances the petitioner and his family members are being disturbed, harassed, and are being put to embarrassment by the respondent and his staff members under the guise of investigation.

No doubt, 'investigation' has some meaning and purpose. But, It is the duty of the police to keep up the same. Investigation can be done by the police, but not at the cost of peace and other rights of the petitioner and his family members.

With the above observations, the writ petition is disposed of at the admission stage.

D.S.R.Varma,J

05-4-2005

Note: Operative portion to be communicated by wire at party's cost.

Krk/jsu

To:

(1).The Station House Officer, Central Crime Station, Basheerbagh, Hyderabad.

(2).Two CCs to the Government Pleader for Home, High Court Buildings, Hyderabad (OUT).

(3).Two CD copies.

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

05TH APRIL, 2005